

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

In the Matter of:

Fairfield Post Office
Fairfield, Kentucky 40020

Docket No. A2012-23

UNITED STATES POSTAL SERVICE
COMMENTS REGARDING APPEAL

(December 16, 2011)

On October 20, 2011, the Postal Regulatory Commission (Commission) received a petition for review and application for suspension of the Postal Service's determination to close the Fairfield post office in Fairfield, Kentucky. This petition was filed by William T. Trent, in his personal capacity and as Mayor of the City of Fairfield, and is postmarked October 12, 2011. On October 25, 2011, the Commission issued a Notice of Filing Under 39 U.S.C. § 404(d), and on October 26, 2011, the Commission issued Order No. 927, its Notice and Order Accepting Appeal and Establishing Procedural Schedule, pursuant to 39 U.S.C. § 404(d). In accordance with Order 927, the administrative record was filed with the Commission on November 2, 2011, and on November 17, 2011, the corrected administrative record and errata were filed. On November 21, 2011, a Participant Statement was filed by William T. Trent Mayor, of the City of Fairfield.

The Petitioner contends that: (1) the Postal Service failed to consider the effect of the closing on the community; (2) the Postal Service failed to consider whether or not it will continue to provide the maximum degree of effective and regular postal services to the community; and (3) the calculation of economic savings was inaccurate. As reflected in the administrative record of this proceeding, the Postal Service gave these

issues serious consideration. In addition, consistent with the Postal Service's statutory obligations and Commission precedent,¹ the Postal Service gave consideration to a number of other issues, including the effect on employees. Accordingly, the determination to discontinue the Fairfield Post Office should be affirmed.

Background

The Final Determination To Close the Fairfield, KY Post Office and Establish Service by Nonpersonnel Unit, as well as the administrative record, indicate that the Fairfield Post Office provides EAS-11 level service from 10:00 to 14:00 Monday - Friday, and from 8:30 to 16:00 on Saturday to 93 post office box or general delivery customers, and has no delivery customers. Item 47, Final Determination to Close the Fairfield, KY Post Office and Establish Service by Nonpersonnel Unit ("FD") at 2; Item 13, Administrative Postmaster/OIC Comments at 1². The postmaster position of the Fairfield Post Office became vacant when the postmaster retired on November 1, 2009, and a noncareer PMR/OIC has been installed to operate the office. Item 47, FD at 2, 9; Item 41, Proposal to Close the Fairfield, KY Post Office and Establish Service by Nonpersonnel Unit (Revised) ("Proposal - Revised") at 2, 10. Upon implementation of the final determination, the noncareer PMR/OIC may be separated from the Postal Service. Item 47, FD at 9; Item 41, Proposal-Revised at 9.

The average number of daily retail window transactions at the Fairfield Post Office is nineteen. Revenue is declining: \$19,142 (50 revenue units) in FY 2008; \$18,980 (50 revenue units) in FY 2009; and \$17,606 (46 revenue units) in FY 2010.

¹ See 39 U.S.C. 404(d)(2)(A).

² In these comments, specific items in the administrative record are referred to as "Item ____."

The Fairfield Post Office has no meter or permit customers. Item 47, FD at 2; Item 41, Proposal-Revised at 2; Item 15, Post Office Fact Sheet at 1.

Upon implementation of the final determination, delivery and retail services will continue to be provided by rural route service administered by the Bloomfield Post Office,³ an EAS-16 level office, which has 91 available Post Office Boxes. Item 41, Proposal-Revised at 2-3; Item 47, FD at 3; Item 18, PS Form 4920 Fact Sheet at 1. The Cox's Creek Post Office and the Taylorsville Post Office will also continue providing rural route service to some locations in the Fairfield community so that delivery service remains cost-efficient. Item 47, FD at 2-4; Item 28, USPS Response Letter to Mayor of Fairfield at 2; Item 25, Customer Community Meeting Analysis at 1-2. Furthermore, rural route service will remain available to Post Office customers who wish to erect roadside mailboxes. Item 17, Rural Route Carrier Estimated Cost for Alternative Replacement Service at 1; Item 47, FD at 2-4; Item 41, Proposal-Revised at 2-4.

In addition, the Postal Service plans to continue serving the existing Post Office boxes at their present location, assuming the Postal Service can sell the existing Fairfield Post Office and either lease or retain space in it. Item 47, FD at 2 and 5. If the Postal Service does not succeed in leasing or retaining space when the present Fairfield Post Office is sold, the alternative plan is to provide CBU units, which are free standing, individually locked mail compartments units that will be installed and maintained at no cost to postal customers. Item 47, FD at 2 and 5; Item 41, Proposal-Revised at 2 and 5.

³ The Bloomfield Post Office is not a candidate facility within the Retail Access Optimization Initiative (RAOI). See Docket No. N2011-1, USPS LR-N2011-1/11 Rev 1, at <http://www.prc.gov/prc-pages/library/detail.aspx?docketId=N2011-1&docketPart=Documents&docid=75971&docType=Library%20References&attrID=&attrName=>

The Postal Service followed the proper procedures which led to the posting of the Final Determination. All issues raised by the customers of the Fairfield Post Office were considered and properly addressed by the Postal Service. The Postal Service complied with all notice requirements. In addition to the posting of the Proposal-Revised and Final Determination, customers received notice through other means. Questionnaires were distributed to delivery customers of the Fairfield Post Office. Questionnaires were also available over the counter for retail customers at the Fairfield Post Office. Item 47, FD at 2; Item 20, Questionnaire Instruction Letter from P.O. Review Coordinator to OIC/Postmaster at Fairfield Post Office at 1. A letter from the Manager of Post Office Operations, Louisville KY, was also made available to postal customers, which advised customers that the Postal Service was evaluating whether the continued operation of the Fairfield Post Office was warranted, and that effective and regular service could be provided through alternate delivery services such as post office boxes located in a local retail business. The letter invited customers to complete and return a customer questionnaire and to express their opinions about the service they were receiving and the effects of a possible change involving rural route delivery. Item 21, Letter to Customer, at 1. The returned customer questionnaires and Postal Service response letters appear in the administrative record in Item 22. In addition, representatives from the Postal Service were available at the St. Michael's Catholic Church in Fairfield for a community meeting on March 14, 2011, to answer questions and provide information to customers. Item 47, FD at 2; Item 21, Letter to Customer at 1; Item 24, Community Meeting Roster at 1-4; Item 25, Community Meeting Analysis;

Item 41, Proposal-Revised at 2. Customers received formal notice of the Proposal and FD through postings at nearby facilities.

The Proposal was posted with an invitation for public comment at the Fairfield Post Office and at the Bloomfield Post Office from April 7, 2011 to June 8, 2011.⁴ Item 47, FD at 2; Item 31, Instructions to OIC/Postmaster to Post Proposal at 1; Item 32, Invitation for Comments at 1; Item 37, Notice of Taking Proposal and Comments Under Internal Consideration, at 1; Item 36, Round Date Stamped Proposal at 1-3; Item 33, Proposal at 1. The Final Determination was posted at the Fairfield Post Office and at the Bloomfield Post Office starting on September 16, 2011. Item 49, Round Date Stamped Final Determination Cover Sheets, at 1 and 2; Item 47, FD at 1; Item 48, Letter of Instructions Regarding Posting of the Fairfield Post Office Final Determination at 1 (with two attachments).

In light of a postmaster vacancy, minimal workload, declining office revenue,⁵ the variety of delivery and retail options (including the convenience of rural delivery and retail service), minimal impact upon the community,⁶ and the expected financial savings,⁷ the Postal Service issued the Final Determination.⁸ Regular and effective postal services will continue to be provided to the Fairfield community in a cost-effective manner upon implementation of the Final Determination. Item 47, FD, at 1-10.

Each of the issues raised by the Petitioner is addressed in the paragraphs which follow.

⁴ This discontinuance action was processed under former Handbook PO-101.

⁵ Item 47, FD at 2; Item 41, Proposal-Revised at 2; Item 15, Post Office Fact Sheet, at 1.

⁶ Item 47, FD, at 2-7; Item 41, Proposal-Revised, at 2-9.

⁷ Item 47, FD, at 9; Item 41, Proposal-Revised at 10.

⁸ Item 47, FD.

Effect on Postal Services

Consistent with the mandate in 39 U.S.C. § 404(d)(2)(A)(iii), and as addressed throughout the administrative record, the Postal Service considered the effect of closing the Fairfield Post Office on postal services provided to Fairfield customers. The closing is premised upon providing regular and effective postal services to Fairfield customers.

The Petitioner raises the issue of the effect on postal services of the Fairfield Post Office's closing, noting the convenience of the Fairfield Post Office and requesting its retention. The Petitioner also states that public transportation is unavailable. These concerns were considered by the Postal Service.

The effect of closing the Fairfield Post Office on the availability of postal services to Fairfield customers was considered extensively by the Postal Service. Item 47, FD at 2-8; Item 41, Proposal-Revised at 2-8. Upon the implementation of the Final Determination, services provided by the Fairfield Post Office, such as the sale of stamps, envelopes, postal cards, and money orders, will be available at the Bloomfield Post Office, and will also be available from a mail carrier to roadside mailboxes located close to customer residences. Item 47, FD at 2-5; Item 41, Proposal-Revised at 2-4. In hardship cases, delivery can be made to the home of a customer. Item 47, FD at 3; Item 41, Proposal-Revised at 2-3.

Carrier service is beneficial to many senior citizens and to those who may face special challenges because they do not have to travel to the Post Office for service. Item 47, FD at 4; Item 41, Proposal-Revised at 3-4. Most transactions do not require meeting the carrier. Item 47, FD at 3; Item 41, Proposal-Revised at 3. Packages that fit will be delivered to roadside mailboxes, and to deliver packages that do not fit into the

roadside mailbox, the carrier will travel up to one-half mile from the mailbox to deliver the packages to a convenient place (such as a porch or carport) that the customer designates. Item 47, FD at 2; Item 41, Proposal-Revised at 2. Customers who will be away for extended periods may request to have their mail held at the post office, and when they return, may request the post office to resume delivery. Item 47, FD at 4; Item 41, Proposal-Revised at 4.

The Petitioner questions the reasons that the Proposal and the Final Determination provide information about delivery to curbside boxes when the Fairfield Post Office has no delivery customers. Although the Fairfield Post Office does not provide delivery service, delivery service has been available to the Fairfield community from the Bloomfield Post Office, the Cox's Creek Post Office, or the Taylorsville Post Office. Item 47, FD at 2-4; Item 41, Proposal-Revised at 2-3; Item 28, USPS Response Letter to Mayor of Fairfield at 2. This delivery service will continue after the Final Determination is implemented, and the Postmasters at either the Bloomfield Post Office or the Cox's Creek Post Office will assist customers with questions pertaining to mail delivery, including questions about curbside mailbox installation. Item 47, FD at 2-4; Item 41, Proposal-Revised at 2-3.

The Petitioner also raises the issue of mail security. This concern was also addressed in the record. At the request of the Postal Service, the Nelson's County Sheriff's Office searched its records, and found no instance of vandalism or theft during 2010 or 2011. Item 14, Law Enforcement Vandalism Report at 1. The Postal Service also explained that customers may place a lock on their curbside mailboxes, provided

that the mailbox has a slot large enough to accommodate the customer's normal daily mail volume. Item 47, FD at 3; Item 41, Proposal-Revised at 3.

In addition, the Postal Service plans to continue serving the existing locking post office boxes at their present location, assuming the Postal Service can sell the existing Fairfield Post Office and either lease or retain space in it. Item 47, FD at 2 and 5. However, if the Postal Service does not succeed in leasing or retaining space when the Fairfield Post Office is sold, the Postal Service will install CBU units, which are free standing, individually locked mail compartments. Item 47, FD at 2 and 5. Post Office box customers will be able to retain the present addresses regardless of whether post office boxes or CBUs are used. Item 47, FD at 5; Item 41, Proposal-Revised at 5.

The Petitioner also questions the use of 911 addresses, and states that residents of the Fairfield community already have them. The Postal Service explained that it does not establish 911 addresses, and that 911 addresses are generally issued by the county. Item 25, Community Meeting Analysis at 1. The Petitioner also suggests that the Postal Service did not consider general delivery customers. However, general delivery customers were considered, and the Postal Service also explained the purpose of general delivery service. Item 47, FD at 2 and 6; Item 41, Proposal-Revised at 2 and 6. In response to the Petitioner's concerns about the collection box pick up times, the Postal Service explained that mail would be picked up from the collection box at 4:00 daily. Item, 47 FD at 6; Item 41, Proposal-Revised at 6.

The Petitioner indicates that it is not certain whether CBUs will also be available, and that the CBU location and maintenance issues, including freezing locks, have not been addressed. The Postal Service plans to continue serving the Post Office boxes at

the Fairfield Post Office, and to retain or lease space in the Fairfield Post Office to continue such service when it is sold. Item 47, FD at 2 and 5-6. If the Postal Service is unable to lease or retain space after the Fairfield Post Office is sold, the Postal Service will install and maintain CBU units, including the locks. Item 47 FD at 2; Item 41, Proposal-Revised at 2. The Petitioner also indicated a concern as to responsibility for clearing access to CBUs. While not directly addressed in the record, the Postal Service notes that safety of customer access is considered in connection with CBU placement. Specifically, the Postal Operations Manual § 631.441 provides that "CBUs may be approved for use at one or more central delivery points in a residential housing community. The local postal manager must approve the mailbox sites and type of equipment. Boxes must be safely located so that customers are not required to travel an unreasonable distance to obtain their mail."

In addition to carrier and Post Office box service, retail services and post office boxes will be available at the Bloomfield Post Office, an EAS-16 level office which has 91 available Post Office Boxes. Item 41, Proposal-Revised at 2; Item 47, FD at 2; Item 18, PS Form 4920 Fact Sheet at 1. Window service hours at the Bloomfield Post Office are from 9:00 to 16:00 Monday through Friday, and from 9:00 to 11:00 on Saturday. Item 47, FD at 2; Item 41 Proposal-Revised at 2.

Thus, the Postal Service has considered impact of closing the Fairfield Post Office upon the provision of postal services to the Fairfield customers, and has properly concluded that the Fairfield customers will continue to receive regular and effective service. Carrier delivery will be made to roadside mailboxes and will also provide retail services, including the sale of stamps and money orders. Packages will be delivered to

mailboxes, and those that are too large for the mailbox may be delivered to a convenient, customer-selected point up to one-half mile from the mailbox. In addition, the Postal Service plans to continue providing post office box service at the present location, even after the Fairfield Post Office is sold. Accordingly, the Postal Service has properly considered the impact of closing the Fairfield Post Office, and has properly concluded that the Fairfield customers will continue to receive regular and effective mail service.

Effect Upon the Fairfield Community

The Postal Service is obligated to consider the effect of its decision to close the Fairfield Post Office upon the Fairfield community. 39 U.S.C. § 404(d)(2)(A)(i). While the primary purpose of the Postal Service is to provide postal services, the statute recognizes the substantial role in community affairs often played by local Post Offices, and requires consideration of that role whenever the Postal Service proposes to discontinue a Post Office.

Fairfield is an incorporated rural community in Nelson County. While the Petitioner contends that the Postal Service was unaware of its incorporated status, the inadvertent reference to Fairfield as unincorporated in the Proposal was corrected in the Revised Proposal. Item 33, Proposal at 6; Item 41, Proposal-Revised at 7; Item 47, FD at 7. In addition, the Postal Service explained that the status of a town as unincorporated or incorporated has no bearing on its requirements for postal services. Item 25, Community Meeting Analysis at 2; Item 47, FD at 7. The Nelson County Police Department provides police protection, and the Northeast Nelson County Fire Department provides fire protection. The community is administered politically by the

Fairfield Commissioners. Item 41, Proposal-Revised at 8; Item 47, FD at 8. The community is comprised of farmers, retirees, and those who commute to work in nearby communities. Item 47, FD at 8; Item 41, Proposal-Revised at 8.

Businesses and Organizations in Fairfield include: Stevens and Sons; Fairfield Auto Mat; Fairfield Grocery; Reid's Hauling; M&M Recycling; Angie Ford's Jewelry Sales; Mike Dant's eBay business; the City of Fairfield; Fairfield Homecoming Committee; Fairfield Cemetery Fund; and the Second Baptist Church of Fairfield. Item 47, FD, at 8; Item 41, Proposal-Revised at 8; Item 28 (Letter to Mayor Trent) at 8. The questionnaires completed by the Fairfield customers indicate that, in general, the retirees, senior citizens, and others who reside in Fairfield must travel for other supplies and services. Item 22, Returned Customer Questionnaires and Postal Service Response Letters, at 2, 5, 11, 17, 20, 23, 26, 29, 32, 35, 38, 44, 47, 50, 53, 57, 59, 62, 65, 68, 74, 77, 80, 83, 86, 87, and 93.

The Petitioner raises the issue of the effect of the closing of the Fairfield Post Office upon the Fairfield community. This issue was extensively considered by the Postal Service, as reflected in the administrative record. Item 47, FD, at 8-9; Item 41, Proposal-Revised at 8-9. The Postal Service explained that a community's identity derives from the interest and vitality of its residents and their use of its name. Item 41, Proposal-Revised at 8; Item 47, FD at 8. The Petitioner indicated concerns with Fairfield customers having to use mailing addresses for Taylorsville, Cox's Creek, or Bloomfield, and also noted concerns with costs that might be incurred with respect to changing stationery, checks, etc. However, the Postal Service explained that the Postal Service is helping to preserve community identity by continuing the use of the Fairfield

Post Office name and Zip Code in addresses and in the National Five-Digit ZIP Code and Post Office Directory. Item 47, FD at 5 and 8; Item 41, Proposal-Revised at 8. Thus, there will be no need for Fairfield customers to change addresses, even for post office box customers. Furthermore, in the event that at a future time, post office box customers choose to change to have their mail delivered by carrier, the mail will be forwarded in accordance with postal regulations. This will allow customers to deplete their supplies of stationery and checks, and to make address revisions when ordering new supplies.

The Petitioner also states that closing the Fairfield Post Office would have a detrimental impact on local businesses and business activity. The record shows, however, that in the event that the Fairfield Post Office were closed, a majority of the residents responding to the questionnaires would still patronize Fairfield businesses. Item 22, Returned Customer Questionnaires at 2, 17, 20, 23, 26, 41, 50, 53, 59, 68, 74, 78, and 86. Further, a number of respondents reported that they do not use local businesses now. Item 22, Returned Customer Questionnaires at 38, 62, and 85.

Communities generally require regular and effective postal services and these will continue to be provided to the Fairfield community. In addition, the Postal Service has concluded that nonpostal services provided by the Fairfield Post Office, including providing Government forms, can be provided by the Bloomfield Post Office, or by the Cox's Creek Post Office. Item 47, FD at 8; Item 41, Proposal-Revised at 8. Thus, the Postal Service has met its burden, as set forth in 39 U.S.C. § 404(d)(2)(A)(i), by considering the effect of closing the Fairfield Post Office on the Fairfield community.

Economic Savings

The Postal Service also properly considered the economic savings that would result from the proposed closing, as provided under 39 U.S.C. § 404(d)(2)(A)(iv). The Postal Service estimates that maintaining rural route carrier service and post office box service would cost the Postal Service substantially less than maintaining the Fairfield Post Office and would still provide regular and effective service to the Fairfield customers. Item 21, Letter to Customer, at 1. The estimated annual savings associated with discontinuing the Fairfield Post Office are \$39,443.00. Item 47, FD at 9; Item 41, Proposal-Revised, at 9.

The Petitioner questions the savings estimate because the noncareer employees currently staffing the Fairfield Post Office are not paid the salary and benefits used in the economic savings calculation. However, the economic savings calculation conducted as part of a discontinuance study is forward-looking; that the Postal Service may have paid less in salary and benefits over past years does not mean that it could count on those savings annually in the future. If the Post Office is not discontinued, that slot would have been filled with a career employee, and the salary and benefits to be paid would be as shown for a postmaster.

The Petitioner further questions the savings estimate by stating that additional delivery costs would result if the Postal Service converted the Fairfield Post Office box customers to curbside delivery, since mileage and delivery other costs would be incurred by the Taylorsville, Bloomfield, or Cox's Creek Post Offices. As stated above, the Postal Service plans to continue serving the existing post office boxes at their present location, and to sell the property while retaining or leasing space in it so that post office box service may be continued at its present location. Item 47, FD at 2 and 5.

If the Postal Service is unable to retain or lease space when the present Fairfield Post Office is sold, the alternative plan is to provide CBU units that will be installed and maintained at no cost to postal customers. Item 47, FD at 2 and 5; Item 41, Proposal-Revised at 2 and 5. Thus, the Postal Service does not plan to convert the present post office box customers to curbside delivery. Beyond this, a review of the customer questionnaire responses, the Community Meeting Analysis, and of the Petitioner's comments does not indicate that any present post office box customers are considering changing from post office box to delivery service. Item 22, Customer Questionnaire Responses, pgs. 1-94; Item 25, Community Meeting Analysis at 1-2.

Furthermore, so that the record is fully informative, the Postal Service has estimated that annual delivery costs of \$4,836.00 might be incurred in the event that all 93 of the present post office box customers were to request mailbox delivery and to discontinue delivery to their post office boxes. Item 17, Rural Route Carrier Estimated Cost for Alternative Replacement Service at 1. Based on this \$4,836.00 annual estimate, a savings would still be realized in comparison to the estimated annual savings of \$39,443.00 associated with discontinuing the Fairfield Post Office. Item 47, FD at 9; Item 41, Proposal-Revised at 9.

Petitioner questions whether the proposal is contrary to authority in 39 USC 101(b). Here, however, a variety of factors support the decision to discontinue the Fairfield Post Office, including a postmaster vacancy,⁹ minimal workload, declining office revenues,¹⁰ minimal impact on the community,¹¹ and the expected financial

⁹ Item 47, FD, at 2; Item 41, Proposal-Revised, at 2.

¹⁰ Item 47, FD at 2.

savings.¹² Pursuant to 39 U.S.C. § 404(d)(2)(A)(iii), the Postal Service in determining whether to close a post office must consider whether such closing is consistent with the policy that the Postal Service provide "a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining." In this case, the Postal Service analyzed, among other factors, the Fairfield Post Office's workload and revenue. The consideration of an office's workload and revenue is not inconsistent with the policies of Title 39, however, because analysis of workload and revenue does not imply that a small Post Office is operating at a deficit. The Postal Service then analyzed whether a maximum degree of effective and regular postal services to the area and community could be provided with rural delivery service in the absence of the Post Office, and the answer was affirmative.

Thus, economic factors are one of several factors that the Postal Service considered, and the economic savings have been calculated as required for discontinuance studies in accordance with statutory obligations and Commission precedent. See 39 U.S.C. § 404(d)(2)(A)(iv).

Effect on Employees

As documented in the record, the impact on postal employees is minimal. The postmaster position of the Fairfield Post Office became vacant when the postmaster retired on November 1, 2009, and a noncareer PMR/OIC has been installed to operate the office. Item 47, FD at 2 and 9; Item 41, Proposal-Revised at 2 and 7. Upon implementation of the final determination, the noncareer PMR/OIC may be separated

¹¹ Item 47, FD at 8-9.

¹² Item 47, FD at 9.

from the Postal Service, and the record shows that no other employee would be affected by this closing. Item 47, FD at 9; Item 41, Proposal-Revised at 9. Therefore, in making the determination, the Postal Service considered the effect of the closing on the employees at the Fairfield Post Office, consistent with its statutory obligations. See 39 U.S.C. § 404(d)(2)(A)(ii).

Conclusion

As reflected throughout the administrative record, the Postal Service has followed the proper procedures and carefully considered the effect of closing the Fairfield Post Office on the provision of postal services and on the Fairfield community, as well as the economic savings that would result from the proposed closing, the effect on postal employees, and other factors, consistent with the mandate of 39 U.S.C. § 404(d)(2)(A).

After taking all factors into consideration, the Postal Service determined that the advantages of discontinuance outweigh the disadvantages. In addition, the Postal Service concluded that after the discontinuance, the Postal Service will continue to provide effective and regular service to Fairfield customers. Item 47, FD at 8. The Postal Service respectfully submits that this conclusion is consistent with and supported by the administrative record and is in accord with the policies stated in 39 U.S.C. § 404(d)(2)(A). The Postal Service's decision to close the Fairfield Post Office should, accordingly, be affirmed.

The Postal Service respectfully requests that the determination to close the Fairfield Post Office be affirmed.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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